

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20230280
United States District Court, District for North Dakota No: 1:20-cv-00115

David Papenhausen,

Plaintiff

v.

**ConocoPhillips Company, and Burlington
Resources Oil & Gas Company LP, individually,
and d/b/a Burlington Resources Oil & Gas LP,**

Defendants

[¶1] This matter having been considered by the Court at the December 2023 Term before:

[¶2] Chief Justice Jon J. Jensen, Justice Daniel J. Crothers, Justice Lisa Fair McEvers, Justice Jerod E. Tufte, and Justice Douglas A. Bahr;

[¶3] and the Court having considered the matter, it is ORDERED and ADJUDGED that certified question number 1 is answered as follows:

1. Question: Does North Dakota's natural accumulation rule extend to an oil well site in a rural area?

Answer: Yes.

[¶4] IT IS FURTHER ORDERED AND ADJUDGED that certified question number 2 is answered as follows:

2. If the natural accumulation rule extends to an oil well site in a rural area, does it still apply if it conceals a condition substantially more dangerous than one normally associated with ice and snow?

Answer: No.

[¶5] IT IS FURTHER ORDERED AND ADJUDGED neither party have and recover costs and disbursements in this matter.

[¶6] This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 41.

Dated: March 7, 2024



By the Court:

Jon J. Jensen
Chief Justice

ATTEST:

Petra H. Mandigo Hulm
Clerk